

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

☐ Valuation of Security ☐ Assumption of Executory Contract or Unexpired Lease ☐ Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Mark and Alexis Collins

Case No.: 19-27330

Judge: Altenburg, Jr.

Debtor(s)

Chapter 13 Plan and Motions

☐ Original

☒ Modified/Notice Required

Date: 11/3/2020

☒ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: JS

Initial Debtor: MC

Initial Co-Debtor: AC

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 605.00 per month to the Chapter 13 Trustee, starting on
December 1 for approximately 46 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Rushmore Loan Mortgage	Mortgage	20,528.32	4%	23607.57	1082.00

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☐ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
PA Housing Finance Agency	single family home	\$115,000	\$18,463

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
☐ Not less than _____ percent
☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal*, and *valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☐ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
HUD-Secretary	single family home	2nd mtg	39,265.89	109,000	\$39,265.89	118,197	39,265.89

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☐ Upon confirmation
☒ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Other Administrative and Priority claims
- 3) secured Claims
- 4) unsecured claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 5/10/2020

<p>Explain below why the plan is being modified: to account for the full arrearage to Rushmore</p>	<p>Explain below how the plan is being modified: part 4 is amended to account for the difference</p>
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Are Schedules I and J being filed simultaneously with this Modified Plan?

☒ Yes

☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 11/3/2020

/s/ Mark Collins

Debtor

Date: 11/3/2020

/s/ Alexis Collins

Joint Debtor

Date: 11/3/2020

/s/ Joel Schwartz

Attorney for Debtor(s)

In re:
Mark Collins
Alexis Collins
Debtor(s)

Case No. 19-27330-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Nov 04, 2020

User: admin
Form ID: pdf901

Page 1 of 3
Total Noticed: 33

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 06, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ Mark Collins, Alexis Collins, 619 Cedar Court, Pleasantville, NJ 08232-4202
lm	+ Rushmore Loan Management Services, P.O. Box 55004, Irvine, CA 92619-5004
518452403	+ Apex, 2501 Oregon Pike, Suite 102, Lancaster, PA 17601-4890
518452404	+ Ashley Furniture c/o Stephen Einstein, 20 Vesey Street, Suite 1406, New York City, NY 10007-4217
518452405	+ Aspenn, 1430 Jersey Avenue, Suite 1, North New Brunswick, NJ 08902-1659
518452406	+ Atlantic Care, PO Box 360, Findlay, OH 45839-0360
518452407	+ Chrysler Capital, PO Box 660335, Dallas, TX 75266-0335
518478434	+ Chrysler Capital, PO Box 961275, Fort Worth, TX 76161-0275
518452408	+ Credit Corp Solutions c/o Jarod Miller Court Office, PO Box 218, New Gretna, NJ 08224-0218
518495932	+ First Guaranty Mortgage Corporation, Attn Rushmore Loan Management Services,, PO Box 55004, Irvine, CA 92619-5004
518493885	+ First Guaranty Mortgage Corporation, c/o Rushmore Loan Management Services, P.O. Box 52708, Irvine, CA 92619-2708
518452410	+ Lawn Doctor, 6604 Delilah Road, Suite 2, Egg Harbor Twp, NJ 08234-5666
518452411	+ PA Housing Finance, 211 N Front Street, Harrisburg, PA 17101-1406
518926104	+ PA Housing Finance Agency, Attn Denise Carlon, Esq., 216 Haddon Avenue, Suite 406, Westmont, NJ 08108-2812
518574929	+ Pennsylvania Housing Finance Agency, 211 North Front Street, Harrisburg, PA 17101-1406
518452412	+ Plymouth Rock Insurance, 725 Canton Street, Norwood, MA 02062-2679
518452415	+ Rushmore Loan Management, PO Box 814529, Dallas, Texas 75381-4529
518452416	+ Sprint, PO Box 629023, El Dorado Hills, CA 95762-9023
518452417	+ Synchrony Bank(Sams Club), PO box 13105, Roanoke, VA 24031-3105
518452418	+ US Department of Education, 15480 Laguna Canyon Road, S, Irvine, CA 92618-2132

TOTAL: 20

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Nov 04 2020 21:41:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Nov 04 2020 21:41:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
cr	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Nov 04 2020 21:40:00	Americredit Financial Services, Inc., d/b/a GM Fin, 4000 Embarcadero Dr., Arlington, TX 76014-4101
518504030	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Nov 04 2020 21:40:00	AmeriCredit Financial Services, Inc., dba GM Financial, P O Box 183853, Arlington, TX 76096
518495900	+ Email/Text: bankruptcy@pepcoholdings.com	Nov 04 2020 21:40:00	Atlantic City Electric Company, 5 Collins Drive, Suite 2133, Mail Stop 84CP42, Carneys Point, NJ 08069-3600
518452409	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Nov 04 2020 21:40:00	GM Financial, PO Box 183834, Arlington, TX 76096-3834
518539053	+ Email/Text: bankruptcydpt@mcmcg.com	Nov 04 2020 21:41:00	Midland Funding LLC, PO Box 2011, Warren MI

District/off: 0312-1

User: admin

Page 2 of 3

Date Rcvd: Nov 04, 2020

Form ID: pdf901

Total Noticed: 33

518524579	+ Email/Text: csc.bankruptcy@amwater.com	Nov 04 2020 21:42:00	48090-2011 New Jersey American Water, PO Box 578, Alton, IL 62002-0578
518540825	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 04 2020 21:39:03	Portfolio Recovery Associates, LLC, c/o Capital One Bank (usa), N.a., POB 41067, Norfolk VA 23541
518452413	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 04 2020 21:39:03	Portfolio Recovery Association, LLC, 120 Corporate Blvd, Norfolk, VA 23502-4952
518552932	Email/Text: bnc-quantum@quantum3group.com	Nov 04 2020 21:41:00	Quantum3 Group LLC as agent for, Credit Corp Solutions Inc, PO Box 788, Kirkland, WA 98083-0788
518453428	+ Email/PDF: gecsedl@recoverycorp.com	Nov 04 2020 21:38:56	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
518470966	+ Email/PDF: OGCRegionIIBankruptcy@hud.gov	Nov 04 2020 21:38:04	US Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410-0002
TOTAL: 13			

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
518867172	*P++	AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853, address filed with court., AmeriCredit Financial Services, Inc., dba GM Financial, P O Box 183853, Arlington, TX 76096
518452414	*+	Portfolio Recovery Association, LLC, 120 Corporate Blvd, Norfolk, VA 23502-4952

TOTAL: 0 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 06, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 3, 2020 at the address(es) listed below:

Name	Email Address
Brian E Caine	on behalf of Creditor First Guaranty Mortgage Corporation bcaine@parkermccay.com BKcourtntices@parkermccay.com
Brian E Caine	on behalf of Loss Mitigation Rushmore Loan Management Services bcaine@parkermccay.com BKcourtntices@parkermccay.com
Denise E. Carlon	on behalf of Creditor Pennsylvania Housing Finance Agency dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Isabel C. Balboa	

District/off: 0312-1

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Page 3 of 3

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ecfmail@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

Jennifer R. Gorchow

on behalf of Trustee Isabel C. Balboa jgorchow@standingtrustee.com

Joel Lee Schwartz

on behalf of Debtor Mark Collins esqinac@aol.com stacygreen7@aol.com

Joel Lee Schwartz

on behalf of Joint Debtor Alexis Collins esqinac@aol.com stacygreen7@aol.com

John R. Morton, Jr.

on behalf of Creditor Americredit Financial Services Inc., d/b/a GM Financial ecfmail@mortoncraig.com,
mortoncraigecf@gmail.com

Kevin Gordon McDonald

on behalf of Creditor Pennsylvania Housing Finance Agency kmcdonald@kmlawgroup.com bkgroup@kmlawgroup.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11